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Sent: 4/24/2018 5:31:09 PM
To: Jackson, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=38bc8e18791a47d88a279db2fec8bd60-Jackson, Ry]; Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clin]; Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]; Yamada, Richard (Yujiro) [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4c34a1e0345e4d26b361b5031430639d-Yamada, Yuj]; Beck, Nancy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=168ecb5184ac44de95a913297f353745-Beck, Nancy]
Subject: FW: Smith: Open data and protecting privacy — we can do both

Deliberative Process / Ex. 5

From: Science Space and Tech Committee Press SST Press [mailto:SSTPress@mail.house.gov]
Sent: Tuesday, April 24, 2018 1:19 PM
To: McDonald, Thea <Thea.McDonald@mail.house.gov>; VerVelde, Brandon <Brandon.VerVelde@mail.house.gov>
Subject: Smith: Open data and protecting privacy — we can do both



Open data and protecting privacy — we can do both

By Rep. Lamar Smith
April 19, 2018

After EPA Administrator Scott Pruitt announced that he will implement a policy to make our government more accountable to the American people, we've seen massive media coverage misrepresenting the potential effects of such a policy.

Regrettably, the EPA is able to make rules and regulations based on data that not even rule-makers at the agency have seen. It's time to change that.

We all want clean air and clean water, both today and for future generations. It is the EPA's mission to ensure that happens. We all also agree that the best available science should underlie EPA's rules and regulations.

I have long worked to implement a policy that requires the EPA to base its rules on science that is publicly available. Opponents disagree – they prefer to keep this data hidden. But if we do that, how could we – scientists, policymakers and American citizens – confirm that the regulations that dramatically impact our lives are based on the best available science? If all we can see are studies' conclusions, we don't know whether those conclusions are based on sound science.

Those who oppose making the data public claim it will expose personal information. But confidential patient data and other personal information should and can be kept private. Making data publicly available, as I've advocated in the Honest and Open New EPA Science Treatment Act (HONEST Act), does not mean making confidential information available to anyone with a keyboard.

In fact, there are several ways to make data public without revealing any confidential information. Redacting personally identifying information is one option that agencies across the federal government have used for years. Where redaction would limit the quality of datasets for individuals who wish to see the data underlying a study, access could be granted after they agree to keep the data confidential.

Much of the data that is currently available already requires those requesting datasets to fulfill contractual obligations, preventing them from disseminating confidential patient information. While the HONEST Act's opponents ignore these facts, others in the scientific community recognize the importance of access to data.

The Association of American Universities (AAU) and the Association of Public Land-Grant Universities (APLU) recently provided recommendations for agencies implementing the Obama administration's public access requirements. The AAU and APLU highlight the "growing demand among scholars and the public to have broader access to each other's data" and recommend that the minimum standard be "data that are essential to understanding and reproducing peer reviewed publications ... to be accessible for re-analysis," while adhering to rules protecting personal information.

Those in the scientific community who support disclosing data while protecting confidential information should also support the HONEST Act, which furthers the same goals.

Many opponents of open data have wrongly concluded that requiring new regulations to be based on "publicly available" data will disqualify studies from being considered. A recent article alleges that such a policy would "force the EPA to ignore" studies based on confidential health information. This argument is fraudulent. The reality is that the EPA will consider these studies when they adhere to the publicly available standard.

Open access to science is a goal that furthers public debate and benefits the American people. So the HONEST Act is receiving unfounded criticism from those who know that the data may not justify the regulations.

The American people have a right to understand why and how regulatory decisions are made.

Read the full op-ed [here](#).